



STATUTORY INSTRUMENTS.

S.I. No. 145 of 2010



FINANCE ACT 2004 (SECTION 91) (DEFERRED SURRENDER TO
CENTRAL FUND) ORDER 2010

(Prn. A10/0493)

FINANCE ACT 2004 (SECTION 91) (DEFERRED SURRENDER TO
CENTRAL FUND) ORDER 2010

WHEREAS section 91 of the Finance Act 2004 (No. 8 of 2004) makes provision for the carry over from one year to another of any unspent Exchequer capital allocations, up to a maximum of 10 per cent of the capital allocation by Vote;

AND WHEREAS the Minister for Finance made a determination for the purposes of subsection (2) of the said section 91 in respect of certain undischarged appropriations by reference to the capital supply services and purposes included in a vote referred to in Schedule 1 to the Appropriation Act 2009 (No. 42 of 2009);

AND WHEREAS there is set out in Schedule 2 to the Appropriation Act 2009 the sums deferred into the year ending 31 December 2010 and the related Votes and Titles in respect of each of the sums concerned;

AND WHEREAS, pursuant to subsection (4) of the said section 91, a draft of the following order has been laid before Dáil Éireann and a resolution approving of the draft has been passed by Dáil Éireann in the financial year immediately following the financial year in respect of which the undischarged appropriations concerned relate;

NOW, the Minister for Finance, in exercise of the powers conferred on him by section 91(4) of the Finance Act 2004, hereby makes the following order:

1. This Order may be cited as the Finance Act 2004 (Section 91) (Deferred Surrender to Central Fund) Order 2010.

2. The sums set out in column 5 of the Schedule, amounting in the aggregate to €125,717,000, are determined to be available for making good supply in the year ending 31 December 2010 for the capital supply services and purposes by reference to the Vote Number, Title, Capital Subheads and descriptions mentioned in columns 1, 2, 3 and 4, respectively, of that Schedule, opposite the amount mentioned in column 5 in respect of each Capital Subhead.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 9th April, 2010.*

SCHEDULE

DETAILS OF SUMS DETERMINED FOR THE PURPOSES OF ARTICLE 2

Vote No.	Title	Capital Subhead	Description	Sums deferred under section 91 of the Finance Act 2004
1	2	3	4	5 €
10	For the salaries and expenses of the Office of Public Works; for services administered by that Office including the Stationery Office as part of the Government Supplies Agency, and for payment of certain grants and for the recoupment of certain expenditure in connection with flood relief.	E	New works, alterations and additions Total under Vote No. 10	20,279,000 20,279,000
25	For the salaries and expenses of the Office of the Minister for the Environment, Heritage and Local Government, including grants to Local Authorities, grants and other expenses in connection with housing, water services, miscellaneous schemes, subsidies and grants.	D.4	Carbon Fund Total under Vote No. 25	3,277,000 3,277,000
26	For the salaries and expenses of the Office of the Minister for Education and Science, for certain services administered by that Office, and for the payments of certain grants and grants-in-aid.	F.1 B.18	School Buildings ICT Total under Vote No. 26	72,000,000 7,000,000 79,000,000
30	For the salaries and expenses of the Office of the Minister for Communications, Energy and Natural Resources, including certain services administered by that Office, and for payment of certain grants and sundry grants-in-aid, and for the payment of certain grants under cash-limited schemes.	B.1 D.3	ICT Programme Energy Research Total under Vote No. 30	14,290,000 1,431,000 15,721,000
34	For the salaries and expenses of the Office of the Minister for Enterprise, Trade and Employment, including certain services administered by that Office, for the payment of certain subsidies, grants and a grant-in-aid, and for the payment of certain grants under cash-limited schemes.	C.2 E.2 I.1	IDA Ireland Grants to Industry SFADCO Grants to Industry NSAI-G-I-A Admin & Gen Expenses Total under Vote No. 34	5,000,000 1,400,000 40,000 6,440,000
36	For the salaries and expenses of the Office of the Minister for Defence, including certain services administered by that Office; for the pay and expenses of the Defence Forces; and for payment of certain grants-in-aid.	L1	Buildings Total under Vote No. 36	1,000,000 1,000,000
TOTAL OF SCHEDULE				125,717,000



GIVEN under the Official Seal of, the Minister for Finance,
25 March 2010.

BRIAN LENIHAN,
Minister for Finance.

EXPLANATORY NOTE

(This note is not part of the Order and does not purport to be a legal interpretation).

This Order determines, with the approval of Dáil Éireann as required under Section 91 of the Finance Act 2004, the capital subheads and Votes against which Departments shall spend as a first charge in 2010 the carryover of €125,717,000 in unspent capital from 2009 as provided for in the Appropriation Act 2009.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
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